

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JUDICIAL WATCH, INC.,)	
501 School Street, S.W., Suite 700)	
Washington, DC 20024,)	
)	
Plaintiff,)	Civil Action No.
)	
v.)	
)	
FEDERAL HOUSING)	
FINANCE AGENCY,)	
1700 G Street, N.W.)	
Washington, DC 20552-0003,)	
)	
Defendant.)	
)	

**COMPLAINT FOR DECLARATORY AND
INJUNCTIVE RELIEF**

Plaintiff, Judicial Watch, Inc., brings this action against Defendant Federal Housing Finance Agency ("FHFA") to compel compliance with the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA"). As grounds therefor, Plaintiff alleges as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331.
2. Venue is proper in this district pursuant to 28 U.S.C. § 1391(e).

PARTIES

3. Plaintiff is a non-profit, educational foundation organized under the laws of the District of Columbia and having its principal place of business at 501 School Street, S.W., Suite 700, Washington, DC 20024. Plaintiff seeks to promote integrity, transparency, and accountability in government and fidelity to the rule of law. In furtherance of its public interest mission, Plaintiff

regularly serves FOIA requests on federal, state, and local government agencies, entities, and offices, and disseminates its findings to the public.

4. Defendant is an agency of the United States government and is headquartered at 1700 G Street, N.W., Washington, DC 20552-0003. Defendant has possession, custody, and control of records to which Plaintiff seeks access.

STATEMENT OF FACTS

5. On February May 29, 2009, Plaintiff sent a FOIA request to Defendant, seeking access to the following records from 2005 to the present:

- a. Any and all Freddie Mac and/or Fannie Mae records concerning political campaign contributions.
- b. Any and all Fannie Mae and/or Freddie Mac records concerning policies, stipulations, and/or requirements concerning campaign contributions.

6. Defendant acknowledged receipt of Plaintiff's FOIA request by letter dated July 1, 2009 and assigned the request number 2009-88. Defendant's July 1 letter stated that Defendant had located no documents responsive to Plaintiff's request. However, the letter also stated that while Fannie Mae might possess documents responsive to Plaintiff's request, Defendant was not required to produce any such documents.

7. On July 24, 2009, Plaintiff submitted an administrative appeal of Defendant's July 1, 2009 letter to Defendant.

8. On August 4, 2009, Defendant sent Plaintiff a letter denying Plaintiff's July 24, 2009 administrative appeal.

9. Due to Defendant's denial of Plaintiff's July 24, 2009 administrative appeal, Plaintiff is deemed to have exhausted its administrative remedies with respect to its May 29, 2009 FOIA

request, pursuant to 5 U.S.C. § 552(a)(4).

COUNT 1
(Violation of FOIA)

10. Plaintiff realleges paragraphs 1 through 9 as if fully stated herein.

11. Defendant has violated FOIA by failing to produce any and all non-exempt records responsive to Plaintiff's May 29, 2009 request as required by 5 U.S.C. § 552(a)(3).

12. Plaintiff is being irreparably harmed by reason of Defendant's violation of FOIA, and Plaintiff will continue to be irreparably harmed unless Defendant is compelled to conform its conduct to the requirements of the law.

WHEREFORE, Plaintiff respectfully requests that the Court: (1) declare Defendant's failure to comply with FOIA to be unlawful; (2) order Defendant to search for and produce any and all non-exempt records responsive to Plaintiff's May 29, 2009 request and a *Vaughn* index of allegedly exempt records responsive to the request by a date certain; (3) enjoin Defendant from continuing to withhold any and all non-exempt records responsive to the request; (4) grant Plaintiff an award of attorney's fees and other litigation costs reasonably incurred in this action pursuant to 5 U.S.C. § 552(a)(4)(E); and (5) grant Plaintiff such other relief as the Court deems just and proper.

Dated: August 14, 2009

Respectfully submitted,

JUDICIAL WATCH, INC.



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